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INTELLECTUAL PROPERTY LAW

TIMOTHY E. NEWHOLM
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February 23, 2004

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Continuation Patent Application Transmittal
Inventor: Martin Greppmair
Title: *Working Machine with Reduced Upper Mass Vibration*
Assignee: Wacker Construction Equipment
Priority: Continuation of U.S. Appl. Ser. No. 09/508,356; filed
March 9, 2000
USPTO Customer Acct. No.: 23598
Atty. Docket No.: 72.093

Dear Sir:


Enclosed in connection with the above-identified *continuation* utility patent application are:

- 7 pages of specification;
- 20 claims on 3 sheets;
- 1 page of Abstract,
- 3 Drawings on 3 sheets, and
- a Continuation Application Transmittal;
- a Fee Transmittal Form PTO/SB/17 (10/03);
- a copy of the Declaration as filed in corresponding patent Application Serial No. 09/508,356, filed March 9, 2000;

- a copy of the Notice of Recordation of Assignment to **Wacker Construction Equipment AG** recorded **November 25, 2002**, on Reel **013496**, Frame **0853**; and
- an Information Disclosure Statement for a continuation application.

The Director is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



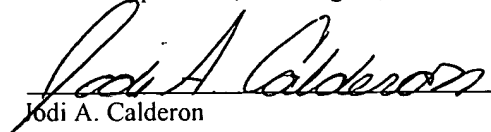
Timothy E. Newholm
Registration No. 34,400

Certification Under 37 CFR 1.10

Express Mail Label No: **EV313041829US**

Date of Deposit: **February 23, 2004**

I hereby certify that this paper or fee is being deposited with the United States Postal Service in "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Director of the U.S. Patent and Trademark Office, Box Patent Application, Washington, D.C. 20231.



Jodi A. Calderon

022404

18351 U.S. PTO

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$770)

Complete if Known

Application Number	
Filing Date	February 23, 2004
First Named Inventor	Greppmair
Examiner Name	Raymond W. Addie
Art Unit	3671
Attorney Docket No.	72.093

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number
Deposit Account Name

50-1170

Boyle Fredrickson Newholm Stein & Gratz S.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Claims	-20**=	0		
20				18	0
3		-3**=	0	86	0
Multiple Dependent					

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Timothy E. Newholm	Registration No. (Attorney/Agent)	34400	Telephone	414.225.9755
Signature				Date	February 23, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

{00054624.DOC /}

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): GREPPMAIR, Martin

Art Unit: 3671

Serial No. Unassigned

Examiner: Addie, R.

Filed: February 23, 2004

Attorney Docket No. 72.093

For: *Working Machine With Reduced Upper Mass Vibrations*

Priority: Continuation of U.S. Application Serial No. 09/508,356, filed March 9, 2000

CONTINUATION APPLICATION TRANSMITTAL LETTER

Mail Stop Patent Application
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application under 37 CFR §1.53(b) and 37 CFR §1.78 of pending parent application Serial No. **09/508,356** filed **March 9, 2000**, of **Martin Greppmair** for *Working Machine with Reduced Upper Mass Vibration*. The parent application is located in **Group Art Unit 3671** and assigned to Examiner **Raymond Addie**.

Enclosed is a copy of the prior application. The text of this application differs from the text of the parent application Serial No. 09/508,356 in that the following amendments have been incorporated therein:

- (1) "Cross-Reference to Related Application" section has been entered to incorporate the necessary reference to the parent application;
- (2) Amendments made to the parent application during its pendency, including section headings suggested by the USPTO;

- (3) Original claims 1-8 have been deleted. Claims 9-15 have been renumbered as claims 1-7. New claims 8-20 have been added; and
- (4) The three (3) sheets of drawings (Figures 1, 1a, and 2), as approved by the Examiner on July 15, 2002.
- (5) A copy of the Power of Attorney filed in the parent application.

The filing fee is calculated below:

	Number Filed	Number Extra	Rate	Basic Fee \$770.00
Total Claims	20	0	\$ 18.00	\$ 0
Independent Claims	3	0	\$ 86.00	\$ 0
Total Filing Fee				\$770.00

A check in the amount of \$770.00 is enclosed to cover the filing fee. The Director is hereby authorized to charge any additional fees required under 37 CFR §1.16 or §1.17, or credit any overpayment to Deposit Account No. 50-1170. A duplicate copy of this paper is attached.

This application is assigned to **Wacker Construction Equipment AG** by virtue of an assignment recorded **November 25, 2003**, on Reel **013496**, Frame **0853**, copy enclosed.

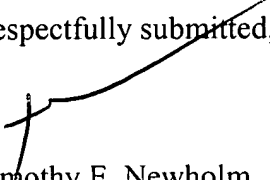
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250 East Wisconsin Avenue, Suite 1030
Milwaukee, Wisconsin 53202

Respectfully submitted,



Timothy E. Newholm
Registration No. 34,400

Customer Account No. 23,598

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